



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J. F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

February 22, 1988

Aldo Croatti
Croatti Family Partnership
Unifirst Corporation
15 Olympia Ave.
Woburn, Massachusetts 01801

Site: WELLS G & H
Break: 11-9
Other: 548868



SDMS DocID

548868

Re: Request for Information Pursuant to Section 104 of CERCLA and Section 3007 of RCRA, for certain activities occurring at the Croatti Family Partnership property located at 15 Olympia Avenue, Woburn, Massachusetts, hereinafter referred to as "the Facility".

Dear Sir or Madam:

The United States Environmental Protection Agency (EPA) is currently investigating the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants, or hazardous wastes on or about the Wells G & H Superfund Site, in Woburn, Massachusetts, "the Site". At present the Site boundaries are: Route 128 to the North, Salem and Cedar Streets to the South, Wildwood Avenue to the West, and Interstate 93 to the East. This investigation requires inquiry into the identification, nature, and quantity of materials that have been or are generated, treated, stored, or disposed of at or transported to the Site, and the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from the Site. EPA also is seeking information relating to the ability of a person to pay for or to perform a cleanup of the Site.

This letter is being submitted to Aldo Croatti, Chief Executive Officer of the Unifirst Corporation, and Partner of the Croatti Family Partnership, with regards to the Croatti Family Partnership property as defined herein.

Pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), P.L. 99-499, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6927, you are hereby requested to respond to the Information Request set forth in Attachment A.

Compliance with the Information Request set forth in Attachment A is mandatory. Failure to respond fully and truthfully to the Information Request within fifteen (15) business days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by EPA pursuant to Section 104(e) of CERCLA, as amended, and/or Section 3008 of RCRA. Each of these statutes permits EPA to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001 or Section 3008(d) of RCRA.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Your response to this Information Request should be mailed to:

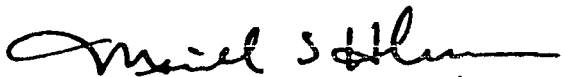
U.S. Environmental Protection Agency
Barbara Newman, Project Manager
Massachusetts Superfund Section
Waste Management Division
JFK Federal Building, HRS-CAN2
Boston, MA 02203

If you have any legal questions, please direct such questions to Gretchen Muench of the Office of Regional Counsel at (617) 565-3316. If you have any technical questions, please direct such questions to Barbara Newman, at the above address, or at (617) 573-5736.

Due to the seriousness of the problem at the Site and the legal ramifications of your failure to respond properly, EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above.

Thank you for your cooperation in this matter.

Sincerely,



Merrill S. Hohman, Director
Waste Management Division

Enclosure

cc. Gretchen Muench, Office of Regional Counsel
Barbara Newman, Waste Management Division
Gene Lucero, Director
Office of Waste Programs Enforcement
Winston Porter, Director
Office of Emergency and Remedial Response
Rodine DeRice, Department of
Environmental Quality Engineering

FIRST INFORMATION REQUEST

Instructions

1. A separate response must be made to each of the Questions set forth in this Information Request.
2. Precede each answer with the number of the Question to which it corresponds.
3. If information which is not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of this response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA thereof as soon as possible.
4. For each document produced in response to this Information Request indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
5. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, as amended by SARA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.
6. Where specific information has not been memorialized in any document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.

Definitions

The following definitions shall apply to the following words as they appear in this Attachment A:

1. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, successors, assigns, and agents.
2. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, unincorporated association, partnership, corporation, trust or other entity.
3. The term "the Facility" shall mean and include the property on or about the Croatti Family Partnership property that is bounded by Olympia Avenue to the South, Route 128 exit ramp to the North, Cummings Industrial properties to the West, and Washington Street to the East, Block 12009, lot 4, on the Tax Assessor's Map in Woburn, Massachusetts.
4. The term "the Site" shall mean and include all the property that is bounded by Route 128 to the North, Salem and Cedar Streets to the South, Wildwood Avenue to the West, and I-93 to the East in Woburn, Massachusetts.
5. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA and includes any mixtures of such hazardous substances with any other substances, including petroleum products.
6. The term "pollutant or contaminant," shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances, including petroleum products.
7. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of RCRA.
8. The term "solid waste" shall have the same definition as that contained in Section 1004(27) of RCRA.
9. The term "materials" shall mean all substances that have been generated, treated, stored, or disposed of or otherwise handled at or transported to the Site, including, but not limited to, all hazardous substances, pollutants and contaminants, hazardous wastes and solid wastes, as defined above including, but not limited to, benzene, toluene, tetrachloroethene, trichloroethene, 1,2 trans-dichloroethene, 1,1,1-trichloroethane and any petroleum product such as fuel oil or gasoline.

10. The term "hazardous material" shall mean all hazardous substances, pollutants or contaminants, and hazardous wastes, as defined above.

11. The term "non-hazardous material" shall mean all material as defined above, excluding hazardous substances, pollutants and contaminants, and hazardous waste.

12. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.

13. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g. corporation, partnership, etc.), organization, if any, and a brief description of its business.

14. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.

15. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

16. The terms "document" and "documents" shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, receipt, endorsement, check, bank draft, cancelled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such

punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.

17. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

18. The term "arrangement" means every separate contract or other agreement between two or more persons.

19. The term "property interest" means any interest in property, including but not limited to, any ownership interest, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.

20. The term "asset" shall include the following: real estate, buildings or other improvements to real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.

QUESTIONS

1. Identify the person(s) answering these Questions on behalf of Respondent.

2. For each and every Question contained herein, identify all persons consulted in the preparation of the answer.

3. For each and every Question contained herein, identify all documents consulted, examined, or referred to in the preparation of the answer and provide true and accurate copies of all such documents.

4. List the EPA RCRA Identification Numbers of the Respondent, if any.

5. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

6. Identify all persons, including Respondent's employees, who have knowledge or information about the generation, use, purchase, treatment, storage, disposal or other handling of materials at, or transportation of materials to, the Facility.

7. For each and every Question contained herein, if information responsive to this Information Request is not in your possession, custody or control, then identify the persons from whom such information may be obtained.

8. Identify the current and past owners of the Facility. State the dates during which the current and past owners owned, operated or leased any portion of the Facility.

9. Identify the current and prior operators and lessors of the Facility. For each such operator or lessor, further identify:

a. The dates of their operations at, or lease of, the Facility.

b. The nature of their operations at the Facility.

c. All evidence that hazardous materials were released or threatened to be released at the Site during the period in which they were operating at the Facility, including but not limited to, M.G.L. 21 E inspections, NPDES permits, any correspondence with the local, state or federal government, and interviews with employees.

10. Describe the present and past activities at the Facility by any predecessors identified in response to question #8, above.

11. Describe the physical characteristics of the Facility including but not limited to the following:

a. Surface structures (e.g., buildings, tanks, etc.).

b. Ground water wells, including the corresponding numbers or letters for them.

c. Past and present storm water drainage system, sanitary sewer system, including septic tank(s) and subsurface disposal field(s).

d. Underground storage tanks containing any petroleum products, including the age and size of the tank and the type and quantity of petroleum stored.

e. Any and all additions, demolitions or changes of any kind to physical structures on, under or about the Facility, or to the property itself (e.g., excavation work) and state the dates on which such changes occurred.

12. Describe the acts or omissions of any persons, other than your employees, agents or those persons with whom you had a contractual relationship, that may have caused the release or threat of release of hazardous substances at the Site or at the Facility and the damages relating therefrom and identify such persons. In addition, describe all precautions that you took against foreseeable acts or omissions of any such third parties and the consequences that could foreseeably result from such acts or omissions.

13. In recent data provided to EPA regarding the sampling of groundwater on your property, trichloroethylene, 1,1,1-trichloroethane, trans 1,2-dichloroethene, 1,1-dichloroethylene, toluene, and 1,1-dichloroethane have appeared along with the tetrachloroethylene. Have you ever used, stored, or disposed of any of these chemicals at your Facility other than the tetrachloroethylene? If not, how do you explain their appearance in the groundwater at the Facility?

14. Where were the still-bottoms disposed of that were collected as a result of the dry cleaning operation once active at your Facility? Were they ever disposed of or stored at your Facility?

15. At the time you acquired the parcels of the Facility, did you know or have reason to know that any hazardous substance was disposed of on, in, or at the Facility? Describe all investigations of the Facility you undertook prior to acquiring/leasing the Facility and all of the facts on which you base the answer to the preceding question.

16. Have you ever generated, purchased, stored, treated, disposed, or otherwise handled at the Facility any hazardous materials? If the answer to the preceding question is anything but an unqualified "no" identify:

a. The chemical composition, characteristics, physical state (e.g., solid, liquid) and quantity of each hazardous material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled.

b. The persons who supplied you and transported to you, each such hazardous material.

c. How each such hazardous material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

d. When each such hazardous material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

e. Where each such hazardous material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you. Specify, with drawings and maps, where exactly on your property, the material was handled in any of the above manners.

17. Are you or your consultants planning to remove, replace insert, or alter in any way, any physical structure listed in question 11?.

18. Have you ever removed any underground storage tanks on your property? If so, answer:

a. Describe the location, with drawings and maps, of the tank(s).

b. Describe the reasons for this removal.

c. Provide any soil or groundwater data related to this removal.

d. Describe the type and size of tank, and type of petroleum product in the tank(s) removed.

19. Identify, do not submit, all existing technical or analytical information about the Facility, including, but not limited to, data and documents related to soil, water (ground or surface), geology, hydrogeology, or air quality on and about the Facility.

20. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), hydrogeology or air quality on or about the Facility? If so, identify:

a. What the nature and scope of these investigations will be.

b. The contractors or other persons that will undertake these investigations.

c. The purpose of the investigations.

d. The dates when such investigations will take place and be completed.

e. Where at the Facility such investigations will take place.

21. Identify all leaks, spills or releases or threats of releases of any kind, into the environment of any hazardous materials and/or petroleum products that have occurred or may occur at or from the Facility. In addition, identify:

- a. When such releases occurred or may occur.
 - b. How the releases occurred or may occur.
22. If any release or threatened release identified in response to Question 19 above, occurred into any subsurface disposal system or floor drain inside or under any buildings located on the Facility, further identify:
- a. Where precisely, the disposal system or floor drains are and were located.
 - b. When the disposal system or floor drains were installed.
 - c. Whether the disposal system or floor drains were connected to any pipes.
 - d. When such pipes were installed and where are they located.
 - e. Where the materials released into these systems or floor drains were ultimately disposed.
23. Identify all liability insurance policies held by Respondent. In identifying such policies, state:
- a. The name and address of each insurer and of the insured;
 - b. The amount of coverage under each policy;
 - c. The commencement and expiration dates for each policy;
 - d. Whether or not the policy contains a "pollution exclusion" clause; and
 - e. Whether or not the policy covers sudden, nonsudden or both types of accidents.
- In lieu of providing this information, you may submit complete copies of all insurance policies that may cover the release or threatened release of hazardous materials.
24. Provide all financial statements for the past five fiscal years, including but not limited to those filed with the federal and state Internal Revenue Service and Securities and Exchange Commission.
25. Identify all of Respondent's current assets and liabilities and the person(s) who currently own or are responsible for such assets and liabilities.
26. Identify all members of the Partnership.

27. Identify all subsidiaries and parent corporations of Respondent.

28. Provide a copy of the most current Articles of Incorporation and By-Laws of Respondent.

29. Identify the managers and majority shareholders of Respondent and the nature of their management duties or amount of shares held respectively.

ROUTING AND TRANSMITTAL SLIP

Date

2/22

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. Gretchen Muench

2. ORC-2203

3.

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

HRS-CANZ

Phone No.